

REMARKS

All pending claims 1-25 stand rejected.

Applicant proposes to amend claims 1, 2, 10, 14 and 21 and cancel claims 11, 12, 13, 24 and 25 to place this application in condition for allowance.

Claim Rejections Under 35 U.S.C. § 103:

Claims 1-8, 10-19 and 21-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gorsuch (US patent No. 6,526,034) in view of Pedersen et al. (US patent No. 7,089,031).

In response, Applicant proposes to amend the independent claim 1 to now recite:

A wireless gateway, comprising:

- a local network interface using a local network interface protocol;
- a wireless interface providing access to a plurality of network services, each of said plurality of network services using a different public network interface protocol;

- a controller connected to said local network interface and to said wireless interface, said controller configured for monitoring a plurality of network services accessible to said gateway through said wireless interface and tracking network services that are available; and**

- one or more service interfaces connected to said local network interface and to said wireless interface;

- wherein each service interface provides automatic data conversion between said local network interface protocol and a public network interface protocol associated with the plurality of network services.

(emphasis in bold added). The highlighted feature requires a controller that is configured for monitoring a plurality of network services accessible to the wireless gateway through the wireless interface and the controller also being configured for tracking which of the network services are available. This feature is supported by the disclosure of the Specification as originally filed, for example, at page 10, lines 11-25.

In contrast, the combined disclosures of Gorsuch and Pedersen do not teach or suggest such controller. For example, Gorsuch discloses a communication device utilizing a wireless interface and one public network interface where when the device is outside the range of the local area network, the device automatically connects to the long range public network. The Pedersen reference teaches generally the use of multiple public network interfaces each having different interface protocols (e.g., GSM, CDMA, SMS, etc.) (See Pedersen at column , line 64-column 4, line 61). This is acknowledged by the examiner in the Advisory action of 04/25/2007. Thus, based on this observation, the examiner states in the Office Action, that it would have been obvious at the time of the invention to one of ordinary skill in the art “to incorporate multiple public network interface protocols as taught by Pedersen into Gorsuch’s dual mode subscriber unit for short range, high rate and long range, lower rate data communications in order to maximize resources and have simple functionality.” (Office Action at page 3, line 20 – page 4, line2.)

Although the combined teachings of Gorsuch and Pedersen may make it obvious to modify the dual-mode device of Gorsuch into a multiple protocol capable device as the examiner suggests, the combined teachings of Gorsuch and Pedersen, however, do not make it obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gorsuch to arrive at a controller configured as claimed in amended claim 1 as proposed. The claimed controller is missing in both Gorsuch and Pedersen disclosures. Therefore, even if it were obvious to modify Gorsuch device by the teachings of Pedersen, that modification does not arrive at the claimed invention because the cited prior art is missing the controller limitation. Thus, the combined teachings of Gorsuch and Pedersen can not obviate the invention claimed in amended claim 1 as proposed under 35 U.S.C. § 103.

This case is distinguishable from the *Ex parte Carolyn Ramsey Catan*, (July 3, 2007) case recently decided by the Board of Patent Appeals and Interferences (Board) in upholding the examiner's obviousness rejection of the claims. In *Catan*, the Board held that the applicant's claim was obvious under § 103 over two prior art references. The first reference, Nakano, disclosed all limitations of the claim except for bioauthentication means. The bioauthentication means was disclosed in the second reference, Harada. The issue was whether or not it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the teachings of Nakano with the teachings of Harada.

Here, unlike in *Catan*, even assuming that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Gorsuch and Pedersen, the resulting device will still be missing the controller recited in claim 1.

Reconsideration and entry of amended claim 1 as proposed is requested.

Claims 2-8 depend from claim 1 and thus incorporate every element of claim 1 as amended. Applicant proposes to amend claim 2 to better define the invention being claimed according to the Specification as originally filed. Because the combined teachings of Gorsuch and Pedersen fail to teach or suggest the invention claimed in amended claim 1, claims 2-8 are also allowable over the combination of Gorsuch and Pedersen.

Reconsideration of claims 2-8 as proposed is requested.

Applicant proposes to amend the independent claim 10 to now recite:

A method of network communication using a wireless gateway, comprising:
 **monitoring a plurality of network services accessible to said gateway
through a wireless interface and tracking network services that are available;
receiving a session request to open a network session from a client
through a first interface of said gateway using a first interface
communication protocol;
determining the particular communication service indicated by the
session request;
selecting a network service that is available among said plurality of
network services;**
 sending a service request to a service provider of the selected network
service through a second interface of said gateway using a second interface
communication protocol, requesting initiation of the network service;
 establishing a connection between the client and the network service
allowing data to be communicated between the client and the network service;
and
 automatically converting the data to match the communication protocols
of said first and second interfaces using an appropriate service interface.

(emphasis in bold added). At least the highlighted steps recited in the amended claim 10 as proposed are consistent with the functions of the controller feature recited in the amended claim 1 discussed above and disclosed in the Specification as originally filed.

In contrast, because the combined teachings of Gorsuch and Pedersen do not teach or suggest the controller required in amended claim 1, the combined teachings of Gorsuch and Pedersen do not teach or suggest the method steps attributed to the controller recited in amended claim 10 as proposed. Thus, the combined teachings of Gorsuch and Pedersen can not obviate the invention claimed in amended claim 10 as proposed under 35 U.S.C. § 103.

Reconsideration and entry of amended claim 10 as proposed is requested.

Claims 11-13 are being canceled.

Claims 14-19 depend from claim 10 and thus incorporate every element of claim 10 as amended. Applicant proposes to amend claim 14 to better define the invention being claimed according to the Specification as originally filed. Because the combined teachings of Gorsuch and Pedersen fail to teach or suggest the invention claimed in amended claim 10, claims 14-19 are also allowable over the combination of Gorsuch and Pedersen.

Reconsideration of claims 14-19 as proposed is requested.

Applicant proposes to amend the independent claim 21 to now recite:

A system for network communication using a gateway, comprising:

means for monitoring a plurality of network services accessible to said gateway through a wireless interface and tracking network services that are available;

means for receiving a session request to open a network session from a client through a first interface of said gateway using a first interface communication protocol, wherein said session request indicates a communication service;

means for determining the particular communication service indicated by the session request;

means for selecting a network service that is available among said plurality of network services;

means for sending a service request to a service provider of the selected network service through a second interface of said gateway using a second interface communication protocol, requesting initiation of the network service; and

a service interface corresponding to said selected network service and providing data conversion to match the communication protocols of the first and second interfaces.

(emphasis in bold added). At least the highlighted limitations recited in the amended claim 21 as proposed are consistent with the functions of the controller feature recited in the amended claim 1 discussed above and disclosed in the Specification as originally filed.

In contrast, because the combined teachings of Gorsuch and Pedersen do not teach or suggest the controller required in amended claim 1, the combined teachings of Gorsuch and Pedersen also do not teach or suggest the highlighted limitations attributed to the controller recited in amended claim 21 as proposed. Thus, the combined teachings of Gorsuch and Pedersen can not obviate the invention claimed in amended claim 21 as proposed under 35 U.S.C. § 103.

Reconsideration and entry of amended claim 21 as proposed is requested.

Claims 22 and 23 depend from claim 21 and thus incorporate every element of claim 21 as amended. Because the combined teachings of Gorsuch and Pedersen fail to teach or suggest the invention claimed in amended claim 21, claims 22 and 23 are also allowable over the combination of Gorsuch and Pedersen.

Reconsideration of claims 22 and 23 is requested.

Claims 24 and 25 are being canceled.

CONCLUSION

As presented above, Applicant believes that all of the Examiner's rejections are addressed by the proposed amendments to the claims. Entry of the proposed amendments and a favorable reconsideration of the pending claims are kindly requested.

Respectfully submitted,

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